

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: James B. Fink et al.Application No./Patent No./Control No.: 10/828,765 Filed/Issue Date: 04-20-2004Entitled: Ventilation Systems And Methods Employing Aerosol Generators

Aerogen, Inc., a Corporation  
 (Name of Assignee) (Type of Assignee: corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest.  
 (The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a true copy of the original assignment is attached.

**OR**

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: James B. Fink et al. To : Aerogen, Inc.

The document was recorded in the United States Patent and Trademark Office at  
 Reel 015731, Frame 0069, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To : \_\_\_\_\_

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 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To : \_\_\_\_\_

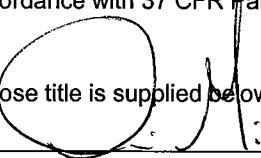
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Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.



Signature

5/10/06

Date

Darin J. Gibby, Reg. No. 38,464303-571-4000

Printed or Typed Name

Telephone Number

Attorney of RecordTitle